

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

PIETOSO, INC. d/b/a CAFÉ NAPOLI,  
individually and on behalf of those  
similarly situated,

Plaintiff,

v.

REPUBLIC SERVICES, INC. &  
ALLIED SERVICES, LLC d/b/a ALLIED  
WASTE SERVICES OF BRIDGETON,

Defendants.

Case No. 4:19-CV-00397-JAR

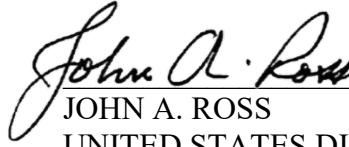
**MEMORANDUM AND ORDER**

On January 25, 2024, the Court held a hearing on Pietoso, Inc.'s Third Motion to Compel Defendants, ECF No. 174. At the hearing, counsel for Defendants represented that they had provided all the documents responsive to Pietoso's requests for production of certain blank, exemplar forms and to Pietoso's requests for production of materials related to a Priority Based Selling technique. Defendants further agreed to produce certain cover pages with appropriate corresponding Terms and Conditions pages of the exemplar forms. And Defendants agreed to produce all documents related to the Priority Based Selling technique or affirm in writing that they had already produced all such documents. The Court is satisfied that these representations and agreements from Defendants adequately address the ostensible shortcomings identified by Pietoso in its Third Motion to Compel. As the Court told counsel at the hearing, the parties are strongly encouraged to better communicate in any future discovery disputes.

Accordingly,

**IT IS HEREBY ORDERED** that Plaintiff Pietoso, Inc.'s Third Motion to Compel Defendants, ECF No. 174, is **DENIED** as moot, without prejudice to refiling.

Dated this 30th day of January, 2024.

  
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JOHN A. ROSS  
UNITED STATES DISTRICT JUDGE